

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ABIRA MEDICAL LABORATORIES,	:	CIVIL ACTION
LLC	:	
<i>d/b/a GENESIS DIAGNOSTICS</i>	:	No. 23-5057
	:	
v.	:	
	:	
CENTENE CORPORATION, et al.	:	

ORDER

AND NOW, this 13th day of August, 2024, upon consideration of Defendants' Motion to Dismiss Plaintiff's Complaint (ECF No. 14) and Plaintiff Abira Medical Laboratories, LLC's (doing business as Genesis Diagnostics) opposition thereto, and for the reasons set forth in the accompanying Memorandum, it is ORDERED the Motion is GRANTED IN PART and DENIED IN PART as follows:

- The Motion is GRANTED as to Count Eight of Plaintiff's Complaint, which is DISMISSED with prejudice.
- As to Defendant Magnolia Health Plan Inc., the Motion is GRANTED and Plaintiff's Complaint is dismissed without prejudice for lack of personal jurisdiction.
- As to Defendant Centene Corporation, the Motion is GRANTED as to Counts One, Two, Three, Four, Five, and Six of Plaintiff's Complaint, which are DISMISSED without prejudice.
- As to Defendant Centene Corporation, the Motion is DENIED as to Count Seven of Plaintiff's Complaint.

It is FURTHERED ORDERED the Clerk of Court is DIRECTED to terminate Magnolia Health Plan Inc. as a Defendant to this action.

It is FURTHERED ORDERED Genesis may file an Amended Complaint on or before August 27, 2024. If Genesis does not wish to amend its Complaint and instead intends to stand on its Complaint as originally pled, Genesis may file a notice with the Court on or before August 27, 2024 stating that intent. If Genesis fails to file any response to this Order, the Court will conclude Genesis intends to stand on its Complaint.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.